

Exhibit 16

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FRANCESCO GALLO,

Plaintiff,

-against-

CASE NO.
07 CV 06418 (CM) (HP)

ALITALIA - LINEE AEREE ITALIANE -
SOCIETA PER AZIONI, PIERANDREA GALLI,
and GIULIO LIBUTTI

Defendants.

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1633 Broadway
47th Floor
New York, New York 10019-7513

January, 22, 2008
1:25 p.m.

DEPOSITION of GIULIO LIBUTTI, the Defendant
in the above-entitled action, taken on behalf of the
Plaintiff, held at the above time and place, and taken
before Rachael Hodgson, a reporter and Notary Public
within and for the State of New York.

18 (Pages 66 to 69)

Page 66	Page 68
<p>1 G. LIBUTTI</p> <p>2 A. No.</p> <p>3 Q. Did he ever tell you that he was being sexually</p> <p>4 harassed by someone in Alitalia?</p> <p>5 A. Not to me.</p> <p>6 Q. Did he ever discuss that with anyone else?</p> <p>7 A. No.</p> <p>8 Q. That you know of?</p> <p>9 A. I know the lawsuit that the letter he wrote.</p> <p>10 Q. Right. Aside from that letter?</p> <p>11 A. No.</p> <p>12 Q. Did Mr. Gallo promote Mr. Oksuz?</p> <p>13 A. Yes.</p> <p>14 Q. And when was that?</p> <p>15 A. February 2006, if I remember well.</p> <p>16 Q. So is it fair to say that as a consultant Mr.</p> <p>17 Gallo still had the ability to promote somebody?</p> <p>18 A. No, he has not the ability. I was very upset</p> <p>19 when I was back in the office that he signed the letter</p> <p>20 instead of me.</p> <p>21 Q. Did you go to Mr. Oksuz and tell him forget it, I</p> <p>22 can't - you're not promoted anymore because Mr. Gallo</p> <p>23 didn't have the authority?</p> <p>24 A. No.</p> <p>25 Q. Why is that?</p>	<p>1 G. LIBUTTI</p> <p>2 letter.</p> <p>3 Q. Did you ever tell that to Mr. Gallo about</p> <p>4 anything, you can't do "X" because you're a consultant?</p> <p>5 A. No.</p> <p>6 Q. Why were you unhappy with the title?</p> <p>7 A. Because from a cashier to vice president you jump</p> <p>8 too much, you think so, and I was aware that probably</p> <p>9 this change in organization maybe didn't like the</p> <p>10 majority of employees that after many years they didn't</p> <p>11 even reach the position of manager and somebody jumped</p> <p>12 from cashier to be vice president.</p> <p>13 Q. Do you know if Mr. Gallo was ultimately fired</p> <p>14 from Alitalia?</p> <p>15 MR. KORAL: Objection.</p> <p>16 A. Sorry?</p> <p>17 Q. Fired, terminated?</p> <p>18 A. Who?</p> <p>19 Q. Was he fired, Mr. Gallo?</p> <p>20 A. I'm asking you to repeat the entire question.</p> <p>21 Q. Was Mr. Gallo ever fired from Alitalia?</p> <p>22 A. I don't know.</p> <p>23 Q. Did anybody ever discuss with you firing Mr.</p> <p>24 Gallo?</p> <p>25 A. Never. You cannot fire a consultant as I know,</p>
Page 67	Page 69
<p>1 G. LIBUTTI</p> <p>2 A. Because the letter already had been signed and it</p> <p>3 was a double signature. Not only Mr. Gallo but Mr.</p> <p>4 Marchese. Mr. Gallo had not the authority to sign the</p> <p>5 letter, but anyway the company letter has been written</p> <p>6 to an employee so Mr. Gallo explained to me it was too</p> <p>7 late to change and I say that the problem is not to</p> <p>8 promote, we agreed, both agreed to promote him in the</p> <p>9 that position. The discussion was the title. I was</p> <p>10 mostly in favor of manager instead of vice president.</p> <p>11 Was my complaint the title, not the promotion. So just</p> <p>12 for the title I was consider is not the case to go to</p> <p>13 Oksuz and say we're joking.</p> <p>14 Q. You said were you angry, you were angry at</p> <p>15 Francesco Gallo for doing that?</p> <p>16 A. No, I say very upset but Franco Gallo explained</p> <p>17 to me that it was the best choice. Again, I told him I</p> <p>18 didn't agree, it was mistake for me I told him, but he</p> <p>19 insisted. I said okay, it's your responsibility now to</p> <p>20 make him as a really capable manager for the company.</p> <p>21 Q. Did you ever tell Mr. Gallo you can't promote</p> <p>22 anyone, you're a consultant?</p> <p>23 MR. KORAL: Objection.</p> <p>24 A. No, I told that, I told that this - I never told</p> <p>25 something like this to him. The only case was that</p>	<p>1 G. LIBUTTI</p> <p>2 I'm sorry.</p> <p>3 Q. In terms of the consultancy agreement, do you</p> <p>4 know why the consultancy agreement was terminated?</p> <p>5 A. No.</p> <p>6 Q. Do you know whose decision it was to terminate</p> <p>7 that agreement?</p> <p>8 A. I left the United States in August 2006 so I</p> <p>9 don't know.</p> <p>10 Q. Did you ever tell anyone that Mr. Gallo was fired</p> <p>11 because he was gay?</p> <p>12 A. No.</p> <p>13 Q. And that it was necessary to cleanup Alitalia?</p> <p>14 A. No.</p> <p>15 Q. Did you ever speak to Francesco Gallo's wife?</p> <p>16 A. If I spoke with Francesco Gallo's wife?</p> <p>17 Q. Yes.</p> <p>18 A. Many times.</p> <p>19 Q. Were you friends?</p> <p>20 A. Yes.</p> <p>21 Q. Are you friends?</p> <p>22 A. I didn't speak with her when I left the United</p> <p>23 States. She was the doctor of my children, don't forget</p> <p>24 it.</p> <p>25 Q. When was the last time you spoke with her?</p>